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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	
	:	Administrative Action
	:	
BARRY SPILLER, LPN	:	CONSENT ORDER
License #26NP05268900	:	
	:	
TO PRACTICE NURSING IN	:	
THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information indicating that Barry Spiller, LPN ("Respondent") violated a private letter agreement he had entered with the Board and worked as a nurse while his license was on inactive status. By way of a private

letter agreement signed on December 8, 2011, Respondent enrolled in and participated with the Board's designated intervention program, the Recovery and Monitoring Program ("RAMP"), to undergo evaluation, monitoring, and treatment, including random screens. The agreement, which was to remain private and confidential unless and until the Board received reliable information that Respondent had violated any term, was to have the force and effect of a Board Order within the intendment of N.J.A.C. 13:45C-1.4. In the summer of 2014, Respondent tested positive for alcohol in violation of the agreement, and ultimately agreed to follow RAMP's recommendations to place his license on inactive status and to enter treatment.

After successfully completing treatment, on December 3, 2014, Respondent contacted RAMP and requested approval to return to work. On December 4, 2014, RAMP staff contacted Respondent's employer and discovered that Respondent had returned to work on December 2, 2014 without RAMP's knowledge or approval and while his license was still on inactive status.

The Board finds that Respondent's engaging in the practice of nursing while his nursing license was inactive constitutes the unlicensed practice of nursing in violation of N.J.S.A. 45:11-37 and 45:1-25. Additionally, the Board finds that

Respondent's violation of the private letter agreement constitutes a violation of a Board Order, which is deemed professional misconduct pursuant to N.J.A.C. 13:45C-1.4 and subjects Respondent to discipline within the intendment of N.J.S.A. 45:1-21(e).

Respondent indicating that he seeks an expeditious resolution and is looking forward to the reinstatement of his license, and the Board finding that the within Order is sufficiently protective of the public's health, safety and welfare, in lieu of further proceedings, Respondent waiving any right to a hearing, and for other good cause shown;

ACCORDINGLY, IT IS on this 26th day of August, 2015,
HEREBY ORDERED AND AGREED that:

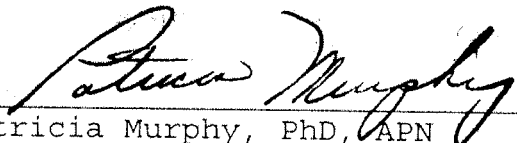
1. Respondent's license to practice nursing in the State of New Jersey is hereby suspended for a minimum of three months, effective seven days (one week) after the filed date of this Order, and until he demonstrates that he is fit and competent to practice, that RAMP supports the reinstatement of his license to actively practice, and until further Board Order.

2. Prior to reinstatement of his New Jersey nursing, Respondent shall demonstrate that he is fit and competent to practice, in full compliance with his agreement with RAMP, RAMP

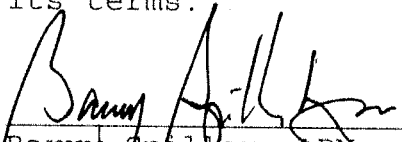
supports his reinstatement, and that he has complied with all other reinstatement requirements.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
Board President

I have read and understand
the within Consent Order
and agree to be bound by
its terms.


Barry Spiller, LPN
License #26NP05268900